

Message Text

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ORIGIN EB-11

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R 140021Z SEP 74

FM SECSTATE WASHDC

TO AMEMBASSY SINGAPORE

C O N F I D E N T I A L STATE 202640

E.O. 11652:GDS

TAGS: EAIR, SN

SUBJECT: CIVAIR: PANAM'S LICENSE AMENDMENT

1. DEPARTMENT ADVISED BY PANAM THAT DIRECTOR CIVIL AVIATION HAS REFUSED TO APPROVE AMENDMENTS TO PANAMS OPERATING LICENSE WHICH WOULD HAVE ADDED KUALA LUMPUR TO PRESENT ROUTE WHILE AT SAME TIME WOULD RESTRICT TRAFFIC RIGHTS TO THE CARRIERS OWN STOP OVER TRAFFIC BETWEEN SINGAPORE AND THIRD COUNTRY POINTS.

2. THIS REPORTED REFUSAL BY GOS AUTHORITY COMES AS A DISTINCT SURPRISE TO USG SINCE IN PARA 8 OF CONFIDENTIAL MEMO OF CONSULTATIONS OF JULY 5, 1974, SIGNED BY CHAIRMAN BOTH DELEGATIONS THERE WAS AGREEMENT THAT, PENDING THE ESTABLISHMENT OF THE ROUTE SCHEDULE TO THE DRAFT AIR TRANSPORT AGREEMENT, THE RESPECTIVE AERONAUTICAL AUTHORITIES WOULD GIVE APPROPRIATE CONSIDERATION ON THE BASIS OF RECIPROCITY TO APPLICATIONS FROM THE RESPECTIVE AIRLINES FOR DESIRED SERVICES. IN THIS CONNECTION THE GOS TOOK NOTE OF THE USG
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INDICATION THAT PANAM WISHED TO APPLY FOR PERMIT TO OPERATE

INTER ALIA BETWEEN SINGAPORE AND KUALA LUMPUR WITH TRAFFIC RIGHTS LIMITED TO THE CARRIERS OWN STOP OVER TRAFFIC ON THIS SECTOR, AND ON ALL OTHER SECTORS BETWEEN SINGAPORE AND THIRD COUNTRY POINTS.

3. WHILE BOTH DELEGATIONS INDICATED THAT TAKING NOTE OF

THE REQUESTS NOTED IN THE MEMO DID NOT COMMIT EITHER GOVERNMENT TO ANY VIEW AS TO THE REASONABLENESS OR OTHERWISE OF SUCH REQUESTS, THE USG HAD ASSUMED THAT THE GOS WOULD FIND ITSELF ABLE TO TAKE FAVORABLE ACTION ON AMENDMENTS TO PANAM'S LICENSE CONSISTENT WITH THE SERVICE PATTERN SPECIFIED IN THE MEMO. THE USG IS AT A LOSS TO UNDERSTAND WHAT CIRCUMSTANCES GIVE RISE TO THE CONCERNS OF THE GOS TO AN EXTENT SUFFICIENT TO BRING IT TO THE CONCLUSION THAT THE REQUEST BY PANAM SHOULD NOT BE APPROVED.

4. THE USG RESPECTFULLY REQUESTS THE GOS TO REVIEW ITS DECISION REGARDING THE PANAM LICENSE AND TO BRING TO THE ATTENTION OF THE USG ANY DIFFICULTIES WHICH THE APPLICATION MAY PRESENT. ON THIS BASIS THE USG WILL BE PREPARED TO CONSIDER APPROPRIATE MEASURES, TO INSURE THAT THE APPLICATION CONFORMS TO THE PLANS EMBODIED IN THE MEMORANDUM OF CONSULTATION. SHOULD IT BE FOUND UPON FURTHER REVIEW THAT THE AMENDMENTS REQUESTED APPEAR CONSISTENT WITH THE CONCEPTS AND PLANS EMBODIED IN THE MEMO OF UNDERSTANDING THE USG WOULD ANTICIPATE THAT THE GOS WOULD BE ABLE TO GIVE APPROPRIATE CONSIDERATION TO THE AMENDMENTS TO THE LICENSE. FOR ITS PART THE USG CONTINUES TO BE PREPARED TO GIVE APPROPRIATE CONSIDERATION ON THE BASIS OF RECIPROCITY TO APPLICATIONS FROM THE SINGAPORE CARRIER FOR DESIRED SERVICES.

5. EMBASSY REQUESTED TO COORDINATE WITH PANAM REP AND AS APPROPRIATE DRAW ON ABOVE IN SUPPORT OF PANAMS APPLICATION IN DEMARCHE TO DIRECTOR CIVIL AVIATION OR OTHER OFFICIALS. FYI: FAILURE OF GOS OFFICIALS TO HONOR MEMO OF CONSULTATION GIVES RISE TO QUESTION WHETHER A FULL SCALE AIR TRANSPORT AGREEMENT WOULD NOT SIMILARLY BE CONFIDENTIAL

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HONORED IN THE BREACH. END FYI. KISSINGER

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